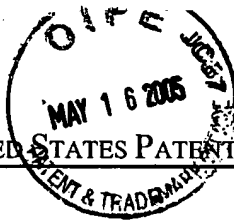


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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/904,914	07/13/2001	Srikanth Thiagarajan	3896-037	4609

22440 7590 04/27/2005

GOTTLIEB RACKMAN & REISMAN PC  
270 MADISON AVENUE  
8TH FLOOR  
NEW YORK, NY 100160601

EXAMINER

BOCKELMAN, MARK

ART UNIT	PAPER NUMBER
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3762

DATE MAILED: 04/27/2005

ENTERED  
5/27/05

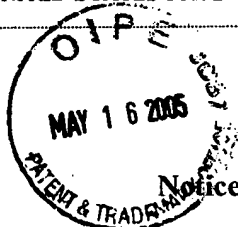
Please find below and/or attached an Office communication concerning this application or proceeding.



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## Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 04-15-05 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required. **Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted.** 37 CFR 1.121(h).

## THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_
- ☐ 3. Amendments to the drawings: \_\_\_\_\_
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
  - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following 7 status identifiers: (Original), (Currently amended), (Canceled), (Withdrawn), (Previously presented), (New) and (Not entered).
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☒ E. Other: Regarding claim 3

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

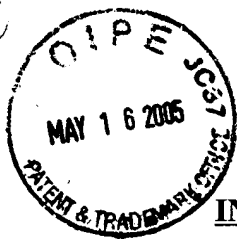
If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given **ONE MONTH** from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this **ONE MONTH** time limit is **not extendable**.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION (including a submission for an RCE)**, and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a **TIME PERIOD** of **ONE MONTH** from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. **The period for response to a final rejection continues to run from the date set in the final rejection**, and is not affected by the non-compliant status of the amendment.

Legal Instruments Examiner (LIE)

571-272-4353  
Telephone No.



3762

Attorney Docket No. 3896-037

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Srikanth THIAGARAJAN et al.  
Serial No. : 09/904,914 Examiner : Bockelman, Mark  
Filed : July 13, 2001 Group Art Unit: 3762  
For : METHOD AND APPARATUS FOR MONITORING CARDIAC  
PATIENTS FOR T-WAVE ALTERNANS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATE OF MAILING (37 C.F.R. 1.8a)**

I hereby certify that the attached:

1. Response to Notice under 37 CFR 1.121 (5 pages);
2. Copy of the Notice; and
3. Return Receipt Postcard.

(Along with any paper(s) referred to as being attached or enclosed) and this Certificate of Mailing are being deposited with the United States Postal Service on the date indicated below with sufficient postage as first-class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Respectfully submitted  
GOTTLIEB, RACKMAN & REISMAN, P.C.

Dated: 05.13.2005

Zoya V. Chernina  
Zoya V. Chernina

GOTTLIEB, RACKMAN & REISMAN, P.C.  
270 Madison Avenue  
New York, N.Y. 10016-0601  
Phone: (212) 684-3900  
Facsimile: (212) 684-3999



Docket No. 3896-037

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant(s) :** Srikanth THIAGARAJAN et al.  
**Serial No. :** 09/904,914 **Examiner :** Bockelman, Mark  
**Filed :** July 13, 2001 **Group Art Unit:** 3762  
**For :** METHOD AND APPARATUS FOR MONITORING CARDIAC  
PATIENTS FOR T-WAVE ALTERNANS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE OF  
NON-COMPLIANT AMENDMENT (37 CFR 1.121)**

Sir:

Enclosed herewith is the entire corrected "Claims Amendments" section of the applicant's Amendment/Response to Office Action document filed on April 15, 2005 in response to the Notice of Non-Compliant Amendment under 37 CFR 1.121 issued in the above-identified application on April 27, 2005 (copy is attached), which includes the proper status identifier for claim 3.

Respectfully submitted  
Gottlieb, Rackman & Reisman, P.C.

Dated: 05.13.2005

By: \_\_\_\_\_

Tiberiu Weisz  
Attorney for Applicants  
Registration No. 29,876